

06-21-04

2125
41

Express Mail Label No.: EV458032674US

17410-00010
PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark Anthony Juneau

:

Art Unit: 2125

Serial No.: 09/833,823

:

Examiner: Carlos R. Ortiz Rodriguez

Filed: April 12, 2001

:

For: METHODS AND SYSTEMS
FOR THE EVALUATION OF
POWER GENERATING
FACILITIES

:

RECEIVED

JUN 25 2004

Technology Center 2100

RESPONSE TO RESTRICTION UNDER MPEP § 821.03

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The Office Action dated May 18, 2004 has been carefully reviewed and the following remarks have been submitted in consequence thereof.

Remarks

Applicant and the undersigned wish to express their appreciation to the Examiner for the courtesies he extended during a telephone interview that occurred on June 2, 2004. During the interview, the Office Action dated May 18, 2004 was discussed. More specifically, during the telephone interview, the undersigned respectfully submitted to the Examiner that (1) the amended claims included in Applicant's Amendment dated March 2, 2004 (the "March 2nd Amendment") are not directed to an invention that is independent or distinct from the invention claimed in the originally filed patent application; and (2) the Office Action dated May 18, 2004 is an improper Restriction under MPEP § 821.03 because it withdraws from consideration all claims submitted in the March 2nd Amendment, it fails to address independent Claims 14, 28, 35, 43, 52, 74, or 78, it fails to provide an elected group of claims, and it fails to provide a complete action on all claims included in an elected group